IN RE: PETITION FOR ADMINISTRATIVE

ZONING VARIANCE

W/S Hendon Road, 652 ft. S of

c/l Allenswood Road 3814 Hendon Road

2nd Election District 2nd Councilmanic District

Chris Bratton Petitioner * BEFORE THE

ZONING COMMISSIONER

* OF BALTIMORE COUNTY

* Case No. 95-114-A

* * * * * *

FINDINGS OF FACT AND CONCLUSIONS OF LAW

This matter comes before the Zoning Commissioner as an administrative variance filed by Chris Bratton for that property known as 3814 Hendon Road in the Randlewood subdivision of Baltimore County. The Petitioner herein seeks a variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage in the side yard in lieu of the rear yard and 1-1/2 ft. to the lot line in lieu of 2-1/2 ft., respectively, as more particularly described on Petitioner's Exhibit No. 1, the plat to accompany the Petition.

The Petitioner having filed a Petition for Residential Variance and the subject property having been posted, and there being no request for a public hearing, a decision shall be rendered based upon the documentation presented.

The Petitioner has filed the supporting affidavits as required by Section 26-127 (b)(1) of the Baltimore County Code. Based upon the information available, there is no evidence in the file to indicate that the requested variance would adversely affect the health, safety or general welfare of the public and should therefore be granted. In the opinion of the Zoning Commissioner, the information, photographs, and affidavits submitted provide sufficient facts that comply with the requirements of Section 307.1 of the B.C.Z.R. Furthermore, strict compliance with the B.C.Z.R. would result in practical difficulty and/or unreasonable hardship

The Grand

upon the Petitioner.

Pursuant to the posting of the property and the provisions of both the Baltimore County Code and the Baltimore County Zoning Regulations, and for the reasons given above, the requested variance should be granted.

THEREFORE, IT IS ORDERED by the Zoning Commissioner for Baltimore County this 27 day of October, 1994 that the Petition for a Zoning Variance from Section 400.1 of the Baltimore County Zoning Regulations (B.C.Z.R.) to permit a detached garage in the side yard, in lieu of the rear yard, and 1-1/2 ft. to the lot line in lieu of 2-1/2 ft., respectively, be and is hereby GRANTED, subject, however, to the following restrictions which are conditions precedent to the relief granted herein:

- 1. The Petitioner may apply for his building permit and be granted same upon receipt of this Order; however, Petitioner is hereby made aware that proceeding at this time is at his own risk until such time as the 30 day appellate process from this Order has expired. If, for whatever reason, this Order is reversed, the Petitioner would be required to return, and be responsible for returning, said property to its original condition.
- 2. The Petitioner shall not allow or cause the accessory structure to be converted to a second dwelling unit and/or apartment. The garage shall contain no living or sleeping quarters, and no kitchen or bathroom facilities.
- 3. The Petitioner shall comply with Zoning Plans Advisory Committee (ZAC) comment from Developers Engineering Section dated October 17, 1994, if necessary.
- 4. When applying for a building permit, the site plan filed must reference this case and set forth and address the restrictions of this Order.

LAWRENCE E. SCHMIDT ZONING COMMISSIONER FOR BALTIMORE COUNTY

LES:mmn

Baltimore County Government Zoning Commissioner Office of Planning and Zoning



Suite 112 Courthouse 400 Washington Avenue Towson, MD 21204

(410) 887-4386

October 26, 1994

Mr. Chris Bratton 3814 Hendon Road Randallstown, Md. 21133

RE: Petition for Administrative Variance

Case No. 95-114-A

Property: 3814 Hendon Road

Dear Mr. Bratton:

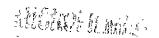
Enclosed please find the decision rendered in the above captioned case. The Petition for Administrative Variance has been granted, in accordance with the attached Order.

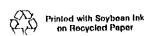
In the event the decision rendered is unfavorable to any party, please be advised that any party may file an appeal within thirty (30) days of the date of the Order to the County Board of Appeals. If you require additional information concerning filing an appeal, please feel free to contact our Appeals Clerk at 887-3391.

Very truly yours,

Lawrence E. Schmidt Zoning Commissioner

LES:mmn encl.







Petition for Administrative Variance

to the Zoning Commissioner of Baltimore County

for the property located at 3814 Hendon Rd. Randallstown, Md. 21133

which is presently zoned

DR 5.5

| | nd extendi erve open | tion of a detache ng into the side space in the back tree also located | ed gara yard (k yard | to meet the and minimize |
|--|--|--|-----------------------------|--------------------------------|
| Property is to be posted and advertised as p I, or we, agree to pay expenses of above Variance adve be bound by the zoning regulations and restrictions of B | rtising, posting, e altimore County e | etc., upon filing of this petition | iing Law fo | or Baltimore County. |
| , | | we do solemnly deciare and allitin, u lat owner(s) of the property which is t | | |
| Contract Purchaser/Lessee: | Leç | gal Owner(s): | | |
| | | Chris Bratton | | |
| Type or Print Name) | (iy | rpe or Print Name) | | |
| Signature | | mature T. C. | ratu | |
| , | | | | |
| Address | (Ty | rpe or Print Name) | | |
| Dity State Zipoc | ode Sic | gnature | | |
| Attorney for Petitioner: | | . | н: | 922-7408 |
| numby for Fundamen. | | 3814 Hendon Road | W: | 887-1233 |
| (Type or Print Name) | Ad | dress | | Phone No. |
| | | Randallstown | Md. | 21133 |
| Signature | Cit | ly ame, Address and phone number of re | Ste epresentative | |
| • | • | | ٠, | |
| Address Phone No. | Na | ame | | |
| City State Zipco | Ad Ad | idress | | Phone No. |
| | | | | |
| A Public Hearing having been requested and/or found to be require | d, it is ordered by the | e Joning Commissioner of Ballimor | re County, th | ilsday of, 19 |
| that the subject matter of this petition be set for a public hearing , ac circutation throughout Baltimore County, and that the property be re | iveriised, as required | d by the Loning Regulations of Bal | limore Coun | ty, in two newspapers of gener |

REVIEWED BY: MAKE DATE: 9/24/941
ESTIMATED POSTING DATE: 10/9/94



Printed with Soybean Ink on Recycled Paper

Zoning Commissioner of Bailtimore County

Affidavit in support of Administrative Variance

The undersigned hereby affirms under the penalties of perjury to the Zoning Commissioner of Baltimore County, as follows:

That the information herein given is within the personal knowledge of the Affiant(s) and that Affiant(s) is/are competent to testify thereto in the event that a public hearing is scheduled in the future with regard thereto.

| That the Affiant(s) does/do presently reside at | 3814 Hendon Ro | ad | |
|---|-------------------------------|--|--|
| | Randallstown | MD. | 21133 |
| • | City | State | Zip Code |
| That based upon personal knowledge, the folio Variance at the above address: (Indicate hardship or | wing are the facts upon whi | ch I/we base the requ | est for an Administrative |
| The variance will allow co | nstruction of a | detached ga | rage to fit into |
| existing space in the back | yard and exten | ding into th | e side yard to meet |
| the existing driveway. Thi | s will preserve | open space | in the back yard and |
| minimize damage to the ro | ot system of a | large maple | tree also located |
| in the back yard. | | | |
| In the back yard. | , | <u> </u> | |
| | | | |
| | | | ************************************** |
| | | | |
| That Affiant(s) acknowledge(s) that if a protes may be required to provide additional information (signature) Chris Bratton (type or print name) | on. | (signature) (type or print name) | sting and advertising fee and |
| I HEREBY CERTIFY, this 38 day of of Maryland, in and for the County aforesaid, per manufactured of Maryland. | Sectionber | , 19 <u>94</u> , before m | e, a Notary Public of the State |
| the Affiants(s) herein, personally known or satisthat the matters and facts hereinabove sentilly | factorily identified to me as | such Affiantt(s), and best of his/her/their k | made oath in due form of law nowledge and belief. |
| AS WITNESS my hand and Notacial Sent. Supt. 25, 1994 NOT | | na K | Polun |
| date BALAUS | NOTARY PUB My Commission | | 2-98 |
| THUNDRE C | OUNTHAN | | |

ZONING DESCRIPTION FOR 3814 HENDON ROAD RANDALLSTOWN, MD. 21133

95-114-A

Beginning at a point on the west side of Hendon Road which is sixty

feet wide at the distance of six hundred and fifty-two feet south of the

centerline of the nearest improved intersecting street Allenswood Road

which is sixty feet wide. Being lot #12, Block B, Section #3 in the

subdivision of Randlewood as recorded in Baltimore County Plat Book #24,

Folio #89, containing .20 acres. Also known as 3814 Hendon Road and

located in the 3rd Election District, 2nd Councilmanic District.

ZONING DEPARTMENT OF BALTIMORE COUNTY

| | Posted for: Vananco | Date of Posting 19/7/94 |
|------------|---------------------------------|--|
| | Posted for: Veylanco | |
| | Petitioner: Chuis Bran | 70-4 |
| | Location of property: 3814 | Tendon Rdy W/S |
| | Location of Signs: Noil to Trop | on property being noned |
| | Remarks: No Polos used | ~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~~ |
| (A) | Posted by Males | Date of return: 19/14/94 |
| | Number of Signs: | A GARAGE AND A STATE OF THE STA |



Beltimu & Camiy

Zoning Administration &

Development Management

111 West Chesapeake Avenue

Towson, Maryland 21204

95-114-A

fqieen

Account: R-001-6150

Number

Taken In By: MOK Item Winder: 119

-tem Wu

Date 9/29/94

Bratton, Chris - 3814 Hendon Road

010- Zoning Ver. - \$50.00

086-151gn _ \$ 35.00

To-h1 - \$ 85.00

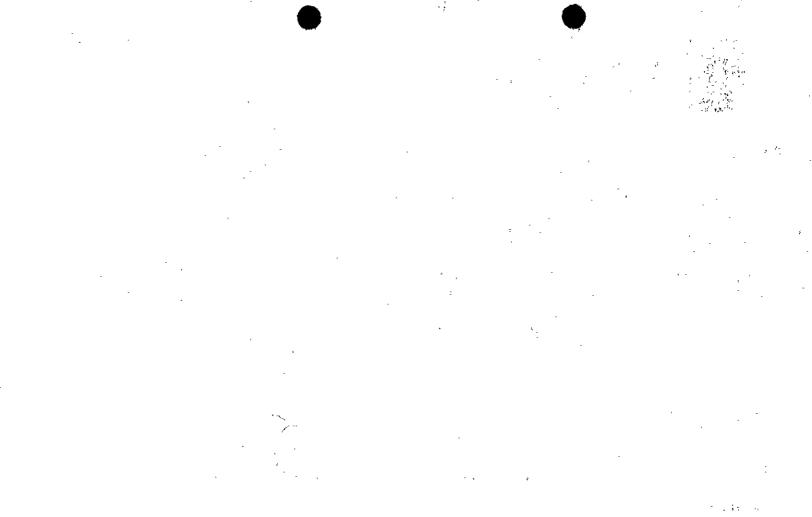
95/14 A

MIGROFILMED

01A01#0492MILHRC

\$85.00

Please Make Checks Payable To: Baltimore County



Baltimore County Government Office of Zoning Administration and Development Mahagement



111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

ZONING HEARING ADVERTISING AND POSTING REQUIREMENTS & PROCEDURES

Baltimore County Zoning Regulations require that notice be given to the general public/neighboring property owners relative to property which is the subject of an upcoming zoning hearing. For those petitions which require a public hearing, this notice is accomplished by posting a sign on the property and placement of a notice in at least one newspaper of general circulation in the County.

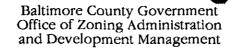
This office will ensure that the legal requirements for posting and advertising are satisfied. However, the petitioner is responsible for the costs associated with these requirements.

PAYMENT WILL BE MADE AS FOLLOWS:

- Posting fees will be accessed and paid to this office at the 1) time of filing.
- Billing for legal advertising, due upon receipt, Will come 2) from and should be remitted directly to the newspaper. NON-PAYMENT OF ADVERTISING FEES WILL STAY ISSUANCE OF ZONING ORDER.

| | | ARNOLD JAI | BLON, DIRECTOR | |
|--------------------|-------------------|------------|---|--------------------|
| For newspaper adve | rtising: | | مد قد مد مد مد و ها مد | |
| Item No.: 1/9 | | | | 1 |
| Petitioner: Chris | s Bratton | . ' | | |
| Location: 3814 | Hendon Rd. | <u> </u> | | |
| PLEASE FORWARD ADV | ERTISING BILL TO: | yh, | · | , |
| NAME: Chris | Bratton | | | - <u>- 13</u> |
| ADDRESS: 38/4 | Hendon Rd. | | | ءُ. .منځـــدــد |
| | , MD 21133 | | | |
| PHONE NUMBER: | 1972-7408(H) | | | , · |
| · | 887-1233(W) | | | |
| AJ:ggs | MICROFILMEL | 1 | Inmuland oliob | u Změn |

(Revised 04/09/93)





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

OCTOBER 7, 1994

NOTICE OF CASE NUMBER ASSIGNMENT

COPA

TO:

Chris Bratton

3814 Hendon Road

Randallstown, Maryland 21133

Re:

CASE NUMBER: 95-114-A (Item 119)

3814 Hendon Road

W/S Hendon Road, 652' S of c/l Allenswood Road 2nd Election District - 2nd Councilmanic

Please be advised that your Petition for Administrative Zoning Variance has been assigned the above case number. Contact made with this office regarding the status of this case should reference the case number and be directed to 887-3391. This notice also serves as a refresher regarding the administrative process.

- 1) Your property will be posted on or before October 9, 1994. The closing date (October 24, 1994) is the deadline for a neighbor to file a formal request for a public hearing. After the closing date, the file will be reviewed by the Zoning or Deputy Zoning Commissioner. They may (a) grant the requested relief, (b) deny the requested relief, or (c) demand that the matter be set in for a public hearing. You will receive written notification as to whether or not your petition has been granted, denied, or will go to public hearing.
- 2) In cases requiring public hearing (whether due to a neighbor's formal request or by Order of the Commissioner), the property will be reposted and notice of the hearing will appear in a Baltimore County newspaper. Charges related to the reposting and newspaper advertising are payable by the petitioner(s).
- 3) Please be advised that you must return the sign and post to this office. They may be returned after the closing date. Failure to return the sign and post will result in a \$60.00 charge.

UNDERSTAND THAT ON THE DATE AFTER THE POSTING PERIOD, THE PLEASE PROCESS IS NOT COMPLETE. THE FILE MUST GO THROUGH FINAL REVIEW. ARE NOT AVAILABLE FOR DISTRIBUTION VIA PICK-UP. WHEN READY, THE ORDER WILL BE FORWARDED TO YOU VIA FIRST CLASS MAIL.

Arnold Jablon

Director





111 West Chesapeake Avenue Towson, MD 21204

(410) 887-3353

Chris Bratton 3814 Hendon Road Randallstown, Maryland 21133

OCT. 1 7 1994

Re:Item,#119 ,Case #95-114

Dear Petitioner:

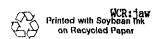
The Zoning Plans Advisory Committee (ZAC) has reviewed the plans submitted with the above referenced petition. The attached comments from each reviewing agency are not intended to indicate the appropriateness of the zoning action requested, but to assure that all parties, i.e. Zoning Commissioner, attorney and/or the petitioner, are made aware of plans or problems with regard to the proposed improvements that may have a bearing on this case.

Enclosed are all comments submitted thus far from the members of ZAC that offer or request information on your petition. If additional comments are received from other members of ZAC, I will forward them to you. Otherwise, any comment that is not informative will be placed in the hearing file. This petition was accepted for filing on September 24, 1994 and a hearing scheduled accordingly.

The following comments are related only to the filing of future zoning petitions and are aimed at expediting the petition filing process with this office.

- 1) The Director of Zoning Administration and Development Management has instituted a system whereby seasoned zoning attorneys who feel that they are capable of filing petitions that comply with all aspects of the zoning regulations and petitions filing requirements can file their petitions with this office without the necessity of a preliminary review by Zoning personnel.
- 2) Anyone using this system should be fully aware that they are responsible for the accuracy and completeness of any such petition. All petitions filed in this manner will be reviewed and commented on by Zoning personnel prior to the hearing. In the event that the petition has not been filed correctly, there is always a possibility that another hearing will be required or the Zoning Commissioner will deny the petition due to errors or incompleteness.
- 3) Attorneys, engineers and applicants who make appointments to file petitions on a regular basis and fail to keep the appointment without a 72 hour notice will be required to submit the appropriate filing fee at the time future appointments are made. Failure to keep these appointments without proper advance notice, i.e. 72 hours, will result in the forfeiture loss of the filing fee.

W. Carl Richards, Jr. Zoning Supervisor MICROFILMED





Maryland Department of Transportation State Highway Administration

Secretary Hal Kassoff Administrator

Ms. Julie Winiarski Zoning Administration and Development Management County Office Building Room 109 111 W. Chesapeake Avenue Towson, Maryland 21204

Re:

Dear Ms. Winiarski:

This office has reviewed the referenced item and we have no objection to approval as it does not access a State roadway and is not effected by any State Highway Administration project.

Please contact Bob Small at 410-333-1350 if you have any questions.

Thank you for the opportunity to review this item.

Very truly yours, Bob Small.

David Ramsey, Acting Chief Engineering Access Permits

Division

BS/

OCT. O 7 1994

My telephone number is .

Maryland Relay Service for Impaired Hearing or Speech 1-800-735-2258 Statewide Toll Free

MARCH SERVICE

BALTIMORE COUNTY, MARYLAND INTEROFFICE CORRESPONDENCE

TO: Arnold Jablon, Director DATE: October 17, 1994
Zoning Administration and Development Management

FROM Robert W. Bowling, P.E., Chief Developers Engineering Section

RE: 'Zoning Advisory Committee Meeting for October 17, 1994

Item No. 119

The Developers Engineering Section has reviewed the subject zoning item. Prior to removal of any existing curb for entrances, the Developer shall obtain a permit from the Dept. of Public Works, Bureau of Highways and Traffic, Attn: Lynne Beck at 887-3932.

RWB:sw

BALTIMORE COUNTY, MARYLAND

INTER-OFFICE CORRESPONDENCE

TO:

Arnold Jablon, Director

DATE: October 11, 1994

Zoning Administration and Development Management

FROM:

Pat Keller, Director

Office of Planning and Zoning

SUBJECT:

Petitions from Zoning Advisory Committee

The Office of Planning and Zoning has no comments on the following petition(s):

Item Nos. 113, 116, (119) 120 and 121.

If there should be any further questions or if this office can provide additional information, please contact Jeffrey Long in the Office of Planning at 887-3480.

Prepared by:

Division Chief:

PK/JL:lw

Baltimore County Government Fire Department



700 East Joppa Road Towson, MD 21286-5500 Office of the Fire Marshal (410) 887-4880

DATE: 10/10/94

Arnold Jablon
Director
Zoning Administration and
Development Management
Baltimore County Office Building
Towson, MD 21204
MAIL STOP-1105

RE: Property Owner:

LOCATION: DISTRIBUTION MEETING OF 10/11/94

Item No.: SEE BELOW

Zoning Agenda:

Gentlemen:

Pursuant to your request, the referenced property has been surveyed by this Bureau and the comments below are applicable and required to be corrected or incorporated into the final plans for the property.

8. The Fire Marshal's Office has no comments at this time, IN REFERENCE TO THE FOLLOWING ITEM NUMBERS: 113, 114, 116, 117, 120, 121, 122 AND 123.

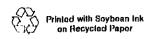


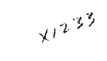
REVIEWER: LT. ROBERT P. SAUERWALD

Fire Marshal Office, PHONE 887-4881, MS-1102F

cc: File

MICRUFILMED







County Council of Baltimore County

Court House, Towson, Maryland 21204 (410) 887-3196 Fax (410) 887-5791

Berchie L. Manley FIRST DISTRICT

Melvin G. Mintz SECOND DISTRICT

C.A. Dutch Ruppersberger, III

THIRD DISTRICT

Douglas B. Riley FOURTH DISTRICT

Vince Gardina FIFTH DISTRICT

William A. Howard, IV

Donald C. Mason SEVENTH DISTRICT

Thomas J. Peddicord, Jr. LEGISLATIVE COUNSEL SECRETARY

ONIN(COMMISSIONER

October 4, 1994

Mr. Lawrence E. Schmidt Baltimore County Zoning Commissioner Court House Towson, Maryland 21204

Dear Mr. Schmidt:

Attached please find a copy of Resolution 90-94 concerning the public disclosure of Christopher Bratton, an employee of the Baltimore County Department of Recreation and Parks. Mr. Bratton has applied for a zoning variance in order to construct a garage at his property located at 3814 Hendon Road, Baltimore, Maryland 21133.

This Resolution was unanimously approved by the six Councilmembers present at the October 3, 1994 meeting and is being forwarded to you for appropriate action.

Sincerely,

Thomas J. Peddicord, Jr. Legislative Counsel/Secretary

Themes Heddurd

TJP:dp Enclosure R09094/DAPTJP

cc: Christopher Bratton

MR. MELVIN G. MINTZ, COUNCILMAN

BY THE COUNTY COUNCIL, October 3, 1994

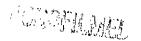
A RESOLUTION concerning the public disclosure of Christopher Bratton, an employee of the Baltimore County Department of Recreation and Parks.

WHEREAS, Christopher Bratton, an employee of Baltimore County, has applied for a zoning variance in order to construct a garage at his property located at 3814 Hendon Road, Baltimore, Maryland 21133; and

WHEREAS, this Resolution is intended to provide full disclosure under Section 26-3(e) of the Baltimore County Code.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNTY COUNCIL OF BALTIMORE COUNTY, MARYLAND, that the application for a variance filed by Christopher Bratton does not contravene the public welfare and is hereby authorized.

R09094/RES94



95-14-A 9/29/94 # 119 Note to the Hearing Officer: Mr. Chris Bratton is a Balto. County employee so he should be getting a resolution from the County Council. It is aware of the procedure: Also, on the site plans onl description, the election distact is listed as the third where it should be the m.tch Kellman

95-118A

Development Control
Office of Zoning Administration
and Development Management
111 West Chesapeake Ave.
Room 109
Towson, Md. 21204

September 25, 1994

To whom it may concern,

I have been informed and reviewed the plans of Mr. Chris Bratton in regards to the structure he wishes to erect on his property. I wish to make it known to you that I have no complaint with these plans nor with Mr. Brattons intention to build within one and one-half feet of my property line.

Sincerely,

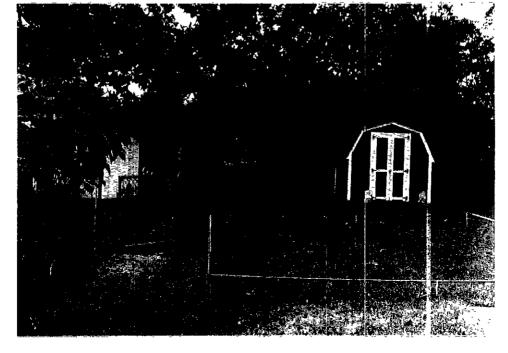
3812 Hendon Road

Randallstown, Md. 21133

\$ 75-1/4-A Thom front to Book youd



From front to Backyard



STEEN WHERE DESCRIPTION

Rear yard looking towards Hender Rd



Rear expand looking Towards Hendenkol



- 25. All provisions of this paragraph from Bill No. 100, 1970.
- 26. All provisions of this paragraph from Bill No. 100, 1970.
- 27. All provisions of this paragraph from Bill No. 100, 1970.
- 28. All provisions of this paragraph from Bill No. 100, 1970, except as otherwise noted.
- 29. All provisions of this paragraph from Bill No. 100, 1970, except as otherwise noted.
- 30. All provisions of this paragraph from Bill No. 100, 1970.
- 31\ Thus (without hyphen) in Bill No. 100, 1970.
- 32. All provisions of this paragraph from Bill No. 100, 1970.
- * Center erroneously changed to garage during 1987 update.

SECTION 254

- 33. A literal reading of Section 3 of Bill No. 56, 1961 would indicate that Section 254 of the Zoning Regulations was changed to read, in its entirety, as follows: "(See Section 255.1 and 300)." It has been assumed, however, that it was not the intent of the bill to repeal the language set out here as preceding that parenthetical reference.
- 34. The height regulation of Subsection 255.1 (Bill No. 56, 1961) was repealed under Bill No. 85, 1967.

SECTION 255

- 35. Part of former Subsection 255.1, added by Bill No. 56, 1961 was revised by Bill No. 85, 1967 and redesignated as Subsection 255.2.
- 36. Superceded by State Highway Administration, Maryland Department of Transportation.

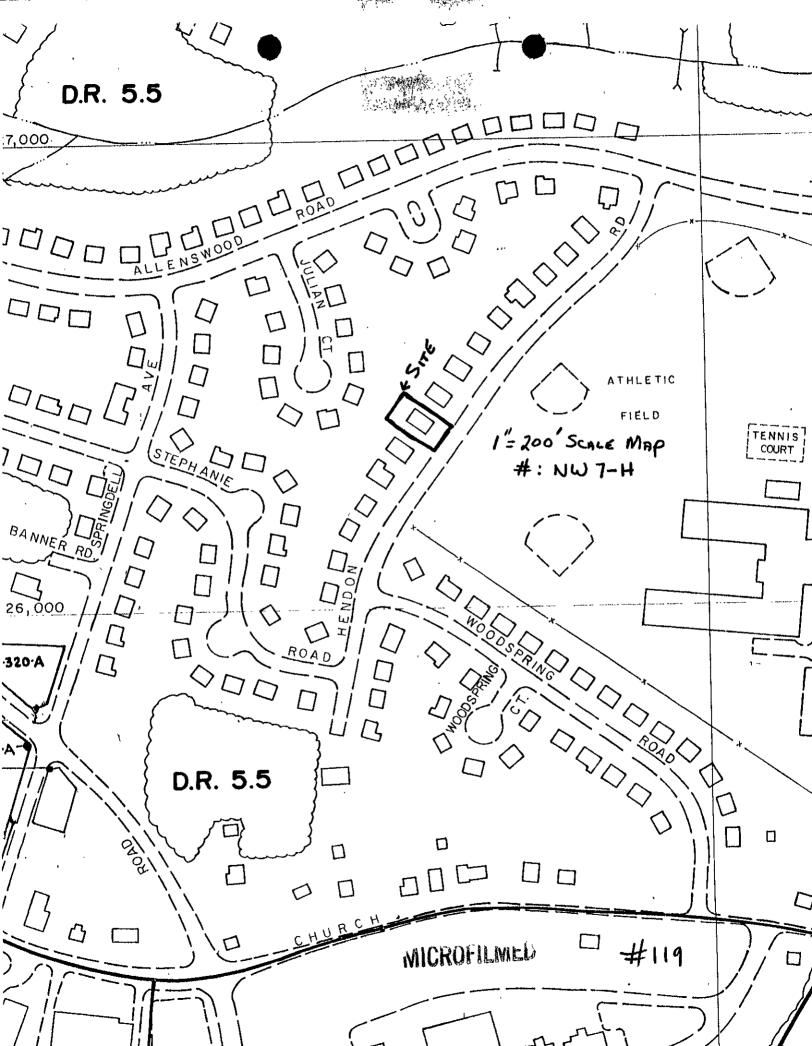
SECTION 256

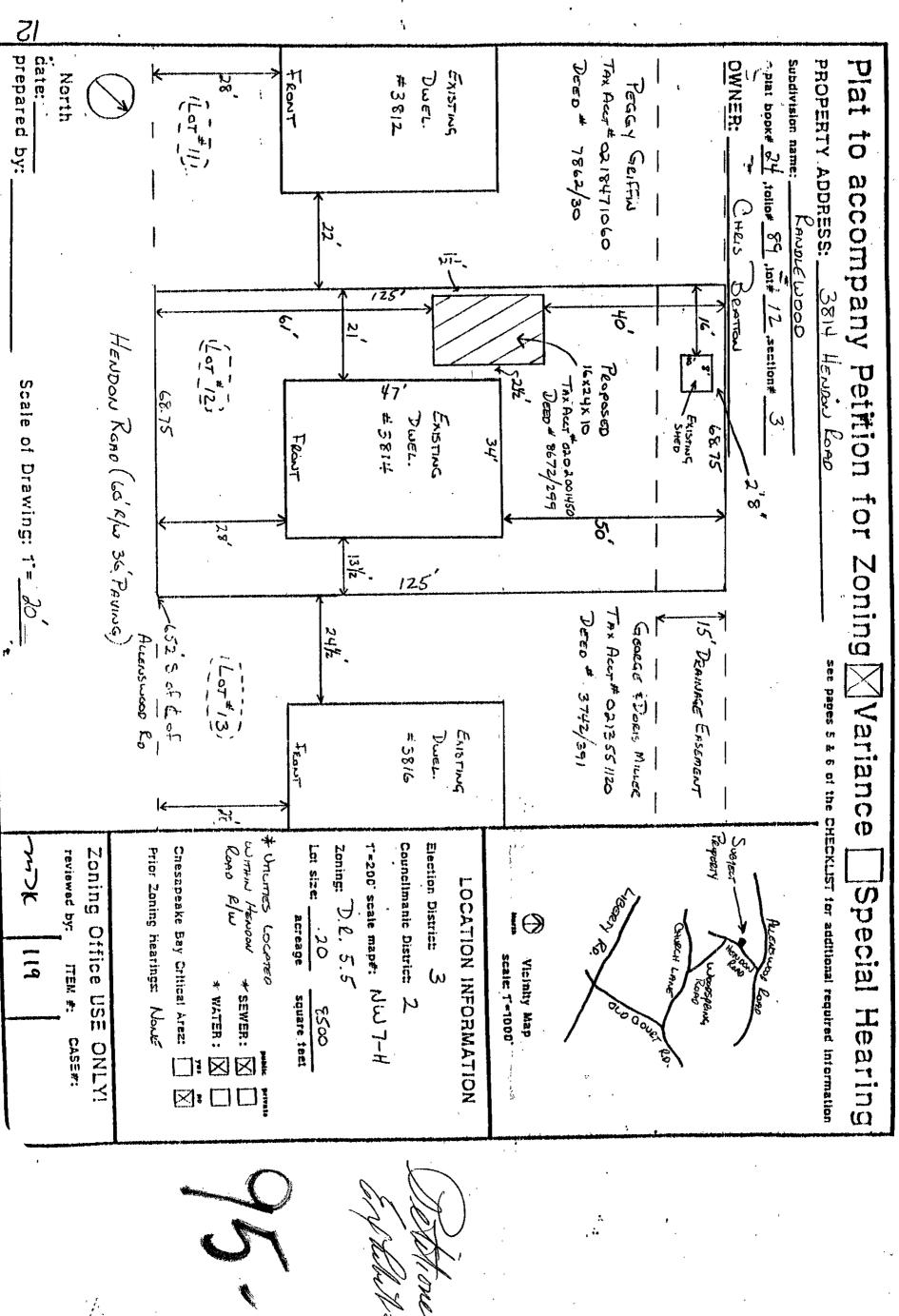
37. All unreferenced provisions of this section from B.C.Z.R., 1955 and re-enacted without substantive amendment by Bill No. 85, 1967.

From Hendow Rd to Rock yours



COMPLMED







REPARED BY AIR PHOTO ARTINSBURG, W.V. 2540'

ROCKDALE

AREA